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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/553,586	04/20/2000	Gideon Lee	79269.913	4827

22804 7590 10/22/2002

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EXAMINER

BECKER, SHAWN M

ART UNIT PAPER NUMBER

2173

DATE MAILED: 10/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/553,586

Applicant(s)

LEE ET AL.

Examiner

Shawn M. Becker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Fig. 1, 108, Fig. 2, 211, and Fig. 7, 716. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application.
2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. Figure 2 is also believed to only show Prior Art, and if that is the case, it should be labeled --Prior Art--. See MPEP § 608.02(g). The "Brief Description of the Drawings" on page 15 should be updated to state that only that which is Prior Art is shown.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 444 on page 20, line 13. On page 19, line 4, "408" should be --410--. On several occurrences starting on page 19, line 9, "430" should be --432--. There are several instances starting on page 36, line 19, where "512" should be --506--.

A proposed drawing correction (preferably in red ink) or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objections to the drawings will not be held in abeyance.

***Specification***

4. The disclosure is objected to because of the following informalities: on page 12, line 10, the "." should be removed. On page 21, line 8, the word --are-- should be inserted before "provided". On page 41, line 13, there are no end quotation marks after "1.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 6 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear how claim 6 relates to claim 1. It is indefinite as to whether there is a relation between the GUI page in claim 6 and the GUI in claim 1. Claim 7 is vague and indefinite, because it is unclear if the steps of associating in claim 7 are to be performed on top of the step of associating in claim 1, or in the place of the step of associating in claim 1.

7. Claim 10 recites the limitation "said label" in line 6. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 6,249,291 to Popp et al.

Referring to claims 1 and 14, Popp teaches a method in a computer system and a computer usable medium having computer readable program code that uses a namespace in generating a GUI (web page in a browser). See the description about Group Object on page 15, line 36 – page 16, line 47 for a description of how Popp uses namespaces. A Name property identifies the group (namespace). Popp teaches obtaining program code to generate a plurality of definitional statements for a GUI. See col. 4, lines 48-53. Popp teaches associating a name space (group) with the control program code. See col. 4, lines 20-41. Popp teaches that the program code uses the name space designation to generate the plurality of definitional statements. See col. 4, lines 20-26, which show how the plurality of definitional elements can be in a group (namespace) and generated by the group. Also see col. 19, line 60 – col. 20, line 20.

Referring to claims 2 and 15, Popp teaches that the program code and name space designation further comprises generating a label to be associated with data, and the label includes the name space designation. See col. 16, lines 64-67.

Referring to claims 3 and 16, the label is associated with the data (col. 16, lines 64-67). Col. 20, lines 28-37 describes how the program code is identified as recipient of the data using the name space designation in the label ("FORM.EMPLOYEE"). Also, see col. 12, lines 1-14.

Referring to claims 4 and 18, the program code is an object-oriented object. See the Element Objects section on col. 11, specifically lines 7-35, which describe how code for the definitional statements can utilize object-oriented programming.

Referring to claims 5 and 17, the plurality of definitional statements in Popp are Hypertext Markup Language (HTML) statements. See col. 3, lines 34-42 and col. 4, lines 48-52.

Referring to claims 6, 7, and 20, Popp teaches generating a design (template) for a GUI page. The design (template) identifies a plurality of GUI elements. See col. 4, lines 35-41. One of the plurality of GUI elements in the design is located within another of the plurality of GUI elements. See col. 4, lines 64-65, which describes that a control object (GUI element) can have subcontrols. Popp teaches associating a first name space designation with program code configured to generate definitional statements for the another of the GUI elements. Popp also teaches associating a second name space designation with program code configured to generate definitional statements for the one of the plurality of GUI elements, and the second name space designation includes the first name space designation. See col. 17, lines 1-46. Table 5 shows "WEBPEOPLE" is contained in the "SELECT\_FORM" object, and thus includes its name space designation.

Referring to claim 8, Popp teaches a GUI system. The system has a processor (Fig. 1, 113). It has program code coupled to the processor, and the program code is configured to generate a name space designation for a control associated with a GUI element. See the

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description about Group Object on page 15, line 36 – page 16, line 47 for a description of how Popp uses namespaces. See col. 3, lines 34-42, which describes how the form (GUI) can be dynamically generated at runtime. The control is configured to generate a plurality of definitional statements for the GUI element. See col. 8, lines 49-60.

Referring to claim 9, Popp teaches that one of the plurality of definitional statements includes a name attribute, and the name attribute specifies a data label containing the name space designation. See col. 16, lines 30-47, and lines 64-67, which describe how the groups (name spaces) are specified with a name attribute, and this label can contain binding information.

Referring to claim 10, the system of Popp includes a browser configured to generate a name-value pair including a label. Col. 6, lines 40-48 describe the use of a browser, such as Netscape© or Mosaic©, and col. 20, lines 28-38 describe the use of name-value pairs including a label.

Referring to claim 11, Popp teaches a page control configured to examine the name portion of the name-value pair and to direct the name-value pair to the program code based on the names space designation in the name portion. See col. 21, line 60 – col. 22, line 50, which describe push and pull methods to send the program code the appropriate value associated with the appropriate name space designation. Also, see col. 26, line 61 – col. 27, line 4.

Referring to claim 12, the control is an object-oriented object. See the Element Objects section on col. 11, specifically lines 7-35, which describe how code for the definitional statements can utilize object-oriented programming. Also, see col. 4, lines 53-55.

*Claim Rejections - 35 USC § 103*

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Popp.

Popp describes how any language could be used as the control, including Java. See col. 10, line 56 – col. 11, line 17 and col. 7, lines 52-58. He does not explicitly teach the use of a Java Bean, however Java Beans are notoriously well known to be used in Java, which Popp teaches as a language for the control. The Examiner takes Official Notice of this teaching. It would have been obvious to use a Java Bean as the control in a GUI, because of their reusability and efficient visual programming.

*Conclusion*

10. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach object-oriented approaches to developing web pages and making use of name spaces.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn M. Becker whose telephone number is 703-305-7756. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on 703-305-3116. The fax phone numbers for the



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organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-745-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

smb  
October 15, 2002



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